

# ELLIS: LAWHORNE

Carol Roof  
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182711

COPY

Posted: R. Duke

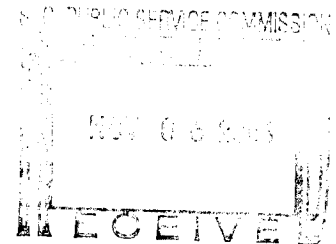
Dept: SA-DRS

Date: 11-8-06

8:15

November 2, 2006

The Honorable Charles L.A. Terreni  
Chief Clerk  
**SC Public Service Commission**  
P.O. Drawer 11649  
Columbia, SC 29211



RE: Application of NextG Networks of NY, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange and Interexchange Telecommunications Services in the State of South Carolina and For Flexible Regulation  
**Docket No. 2006-305-C, Our File No. 1219-11391**

Dear Mr. Terreni:

Enclosed for filing are two Affidavits of Publication for the Notice of Filing in the above-referenced proceeding.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning via the United States Postal Service in the envelope provided.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

**ELLIS, LAWHORNE & SIMS, P.A.**

A handwritten signature in cursive script that reads "Carol".

Carol Roof  
Paralegal

CAR/I

cc: Mr. Robert Delsman  
T. Scott Thompson, Esquire  
enclosures (originals)

RECEIVED

NOV 02 2006

Ellis, Lawhorne  
& Sims, PA

# The Greenville News

## AFFIDAVIT OF PUBLICATION

I, Susan F. Mullinax, being the legal advertising agent for *The Greenville News*, do hereby  
testify that the attached legal advertisement was published on 10/13 lines in *The Greenville News* on 123 lines in *The Greenville* 2006.

Susan Mullinax  
Susan F. Mullinax  
Legal Advertising Representative

Jeanne M. Gullic  
Jeanne M. Gullic  
Notary Public for State of South Carolina  
My Commission Expires April 4, 2013

Any person who wishes to testify in this matter, as a party or interested party, must file a written statement with the Commission, in writing, at the address below on or before November 10, 2006. Please refer to Docket No. 2006-305-C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding must present such comments, in person, to the Commission during the hearing, about the Commission's procedures should contact the Commission at (803) 261-5100.

Public Service Commission  
of South Carolina  
Attn: the Hearing Department  
Post Office Drawer 11609  
Columbia, SC 29211  
OCT-14-06

3048584  
PUBLIC SERVICE  
COMMISSION  
OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING  
AND HEARING

DOCKET NO. 2006-305-C  
NextG Networks of W. Va., Inc. d/b/a NextG Networks, Inc. ("NextG" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission") for a Certificate of Public Convenience and Necessity ("CPCN") for the construction, operation, and maintenance of a fiber optic network in the state of South Carolina. Applicant seeks authority to provide fiber optic RF transport services to telecommuni-

cation companies operating in the state of South Carolina. The Commission requests that the Applicant provide its local exchange service in accordance with the principles established in the flexible rules of the Commission. A copy of the Application is on file in the office of the Commission, 161 Executive Center Drive, Suite 200, Columbia, South Carolina 29210. The Commission's website at [www.psc.state.sc.us](http://www.psc.state.sc.us) and is available to the public. Any person who wishes to testify in this matter, as a party or interested party, must file a written statement with the Commission, in writing, at the address below on or before November 10, 2006. Please refer to Docket No. 2006-305-C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding must present such comments, in person, to the Commission during the hearing, about the Commission's procedures should contact the Commission at (803) 261-5100.

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of South Carolina  
Attn: the Hearing Department  
Post Office Drawer 11609  
Columbia, SC 29211  
OCT-14-06

305 South Main Street • Greenville, South Carolina 29601  
PO Box 1688 • Greenville, South Carolina 29602  
864.298.4229 1.800.800.5116 [smullina@greenvillenews.com](mailto:smullina@greenvillenews.com)

DOCKETING  
DEPARTMENT  
**NOTICE OF  
FILING AND  
HEARING**

DOCKET NO.  
2006-305-C

NextG Networks of NY, Inc. d/b/a NextG Networks East, ("NextG" or "Applicant") has filed an Application with the Public Service Commission of South Carolina ("Commission") for a Certificate of Public Convenience and Necessity to provide resold and facilities-based local exchange and interexchange telecommunications services throughout the State of South Carolina, pursuant to S.C. Code Ann. § 58-9-280. Specifically, NextG seeks authority to provide fiber optic RF transport services to telecommunications companies operating in the State of South Carolina. The Applicant also requests that the Commission regulate its local exchange service in accordance with the principles established by flexible regulation by Order No. 98-165 in Docket No. 97-467-C.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210, the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov), and is available from John J. Pringle, Jr., Esquire, Ellis, Lawhorne & Sims, P.A., P.O. Box 2285, Columbia, South Carolina 29202.

**PLEASE TAKE NOTICE** a hearing on the above matter has been scheduled to begin at 11:30 a.m. on Tuesday, January 16, 2007, before Hearing Examiner David Butler, Esquire in the Commission's Law Library at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210. **PLEASE BE ADVISED** that pursuant to South Carolina Code of Laws - Section 58-9-280, as amended, the Commission will invoke the 120-day period allowed for consideration for this matter.

THE STATE-RECORD CO., INC.  
Columbia, South Carolina  
publisher of  
**The State**

**RECEIVED**

OCT 23 2006

Ellis, Lawhorne  
& Sims, PA

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

Personally appeared before me, Peggy Lawrence, Advertising Sales Support Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing - Docket 2006-305-C - NextG Networks of NY Inc.

was inserted in THE STATE, a daily newspaper of general circulation published in the City of Columbia, State and County aforesaid, in the issues of

October 14, 2006

*Peggy Lawrence*

Subscribed and sworn to before me

on this day October 18, 2006

*Evelyn F. Herndon*

Notary Public

My commission expires  
March 10, 2013

*"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."*

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before November 10, 2006, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2006-305-C.

Any person who wishes to testify and present evidence at the hearing, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff at Post Office Box 11263, Columbia, South Carolina 29211, and John J. Pringle, Jr., Esquire, at the above address, on or before November 10, 2006, and indicate the amount of time required for his presentation. Please refer to Docket No. 2006-305-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before November 10, 2006. Please refer to Docket No. 2006-305-C. **PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11849  
Columbia, South Carolina 29211  
OCT-10-06